

**Janis Puracal**

**From:** Andrew Lauersdorf  
**Sent:** Monday, March 11, 2024 3:31 PM  
**To:** Anthony R. Scisciani III; Meredith A. Sawyer; Rachel Jones; Abby Jenkins  
**Cc:** Janis Puracal; david@loevy.com; Cher Vasquez  
**Subject:** McGuffin v. Vidocq Society - Fed. R. Civ. P. 30(b)(6) Deposition

Hi Tony and Meredith,

We are writing to schedule the continuation deposition of Vidocq's FRCP 30(b)(6) designee, which we expect to take approximately two hours. We understand that Vidocq objects to any further deposition time, and we would like to confer in advance of a motion. Are you available to discuss tomorrow before 2:30 p.m., any time before 11:00 a.m. or after 2:00 p.m. on Wednesday, or any time on Thursday or Friday of this week? I can also be available on any day and time next week.

During the deposition there were a number of questions that fall within the noticed topics, which Ms. Cohan was not prepared to answer. We intend to seek answers to these questions, in addition to the questions that we did not have sufficient time to ask:

<b><i>Transcript Page:Line</i></b>	<b><i>Question</i></b>	<b><i>FRCP 30(b)(6) Notice Topic</i></b>
66:21-67:6	Types of forensic techniques on which Vidocq provided training to law enforcement	Topic 3(o)
69:9-20	Directors that have served on the Board	Topic 1(c)
94:4-16	Number of cases under management	Topic 10
108:16-109:10	How official records of Board proceedings were kept	Topic 5
113:11-23	Records of cases presented during field trainings	Topics 5 and 10
116:19-117:2	Richard Walter's trainings given to law enforcement	Topic 3(o)
118:8-12	Written materials given to law enforcement at trainings	Topics 3(o) and 5
121:6-11	Concerns about Brady issues	Topics 3(g),(i), and (p); 4(g) and (j); and 5
123:7-15	When the Public Information Officer position was created	Topics 1(c) and (e)
146:10-22	Number of times Vidocq has worked with different law enforcement agencies	Topic 10(a)
187:17-187:21	Security protocols regarding the confidentiality of case materials	Topics 3(b), (g), and (p)

Finally, we would like to confer regarding Vidocq's production of the following documents to which Ms. Cohan referred. We ask that Vidocq produce these documents pursuant to Request for Production No. 2 in the FRCP 30(b)(6) notice, which seeks all documents containing information requested in the noticed topics.

<b><i>Transcript Page:Line</i></b>	<b><i>Category of Documents</i></b>	<b><i>FRCP 30(b)(6) Notice Topic</i></b>
17:14-18 and 48:10-15	Current and prior iterations of the Constitution and Bylaws	Topic 1(b)
17:20-21	All digital files reviewed in preparation for the deposition	
17:25	Emails between members to prepare for the deposition	

20:10	Notes made in preparation for the deposition	
33:15-20	Accounting records to determine the dates of Vidocq meetings	
50:14-25 and 69:21-25	Spreadsheet listing all Board members over time  Plaintiffs will agree to a redacted copy to avoid disclosure of member lists	Topic 1(c)
52:15-23	Original Constitution and Bylaws	Topic 1(b)
69:21-70:4 and 74:15-77:16	Board minutes reflecting membership revocations, disciplinary actions, changes to organizational structure, and committee reports regarding the same	Topics 1(c), (d), and (e); 6(i) and (k)
91:1-11	Records related to cases under management	Topic 10
109:1-6	Documents, contracts, and correspondence kept by the Secretary related to Richard Walter, the City of Coquille, Paul Frasier, Mark Dannels, the Leah Freeman Case, Nicholas McGuffin, and all contracts with a law enforcement agencies	
112:4-113:4	Any copies of the "Journal" with reference to Nicholas McGuffin or Leah Freeman	Topic 9
119:6-20	Documents stored at "HQ" that fall under any of the categories requested in Plaintiffs' Fed. R. Civ. P. 30(b)(6) notices or Plaintiffs' Requests for Production	
143:10-12	Financial records reflecting payment for law enforcement expenses	
143:16-144:12 and 160:23-162:16	Records reflecting Vidocq authorization or delegation of Richard Walter to travel to Coquille, Oregon, at any time	Topic 9(c)
158:11-159:5	Written confidentiality agreements with any law enforcement agency, including the City of Coquille or the Coquille PD	Topics 3(g) and (p); 4(g) and (j); and 5
172:1-22	Form to follow up with law enforcement	Topic 10

Please confirm your availability to confer on March 12-15 or March 18-22, 2024.

Take care,

Andy



**Andrew C. Lauersdorf**

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## Janis Puracal

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**From:** Andrew Lauersdorf  
**Sent:** Monday, June 24, 2024 10:18 AM  
**To:** Meredith Sawyer  
**Cc:** Cher Vasquez; Anthony R. Scisciani III; Janis Puracal; Blenda Fetahu; Rachel Jones; Paxton Moon; Heather Schmitz  
**Subject:** RE: McGuffin - Vidocq Supplemental Discovery Responses [HWS 17-0846]

Hi Meredith,

I appreciate the time and effort you are putting into addressing Plaintiffs' discovery requests, and your client's willingness to produce documents prior to the upcoming depositions. I received your email from Friday afternoon and intended to get a response out over the weekend, but for personal reasons was not able to until this morning.

We understand the parties disagree about the relevance of documents prior to 2009 and after 2011. You will remember the parties briefed this issue last September (Dkt. Nos. 192 and 202) when Vidocq moved for a protective order related to the Case Synopsis List. In his order compelling disclosure, Judge Kasubhai recognized that information prior to and after the McGuffin criminal case is relevant to Plaintiffs' *Monell* claim to prove a pattern or practice (Dkt. No. 226). The Board meeting minutes prior to and after the McGuffin criminal case are relevant for the same reason. We ask that Vidocq produce them in their entirety.

I am available for a call today after 2:00 p.m. as well. You can reach me on my cell phone at 971-221-2220.

Take care,

Andy



**Andrew C. Lauersdorf**

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**From:** Meredith Sawyer <msawyer@hwslawgroup.com>  
**Sent:** Sunday, June 23, 2024 9:00 PM  
**To:** Andrew Lauersdorf <acl@mlrlegalteam.com>  
**Cc:** Cher Vasquez <cv@mlrlegalteam.com>; Anthony R. Scisciani III <AScisciani@hwslawgroup.com>; Janis Puracal <jcp@mlrlegalteam.com>; Blenda Fetahu <bf@mlrlegalteam.com>; Rachel Jones <rjones@hwslawgroup.com>; Paxton Moon <pmoon@hwslawgroup.com>; Heather Schmitz <hschmitz@hwslawgroup.com>  
**Subject:** Re: McGuffin - Vidocq Supplemental Discovery Responses [HWS 17-0846]

This email originated from outside of MLR

Good evening Andy-

I am writing to let you know where Vidocq is with respect to Plaintiffs' most recent requests for documents.

I did not hear back from you regarding my inquiry on Friday as to the scope of Plaintiffs' Second RFPs to Vidocq Society with respect to board meeting minutes. I would appreciate a response. In addition, I have spent the better part of today (Sunday) trying to accommodate Plaintiffs' newest discovery requests. In that regard, Vidocq Society will provide: (1) supplemental responses to Plaintiffs' First Set of RFPs and (2) responses to Plaintiffs' Second Set of RFPs by mid-day on Tuesday, in advance of Ms. Cohan's deposition set for Thursday (6/27). We note that this is intended as a measure of good faith as the responses to Plaintiffs' Second RFPs are not due until July 8.

We are also intending to provide Plaintiffs with the subpoenaed documents from Mr. Fleisher by mid-day on Wednesday in advance of his deposition set for Thursday (6/27). Again, this is intended to demonstrate good faith compliance with the civil rules as Mr. Fleisher has no obligation to produce these documents until he appears for his deposition.

If we need to discuss further, I am available tomorrow after about 2 pm. Have a good evening. Thanks.

Best regards-  
**Meredith**

Meredith A. Sawyer  
Partner  
Licensed in Washington & California



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**From:** Meredith Sawyer <[msawyer@hwslawgroup.com](mailto:msawyer@hwslawgroup.com)>

**Date:** Friday, June 21, 2024 at 2:07 PM

**To:** Andrew Lauersdorf <[acl@mlrlegalteam.com](mailto:acl@mlrlegalteam.com)>

**Cc:** Cher Vasquez <[cv@mlrlegalteam.com](mailto:cv@mlrlegalteam.com)>, Anthony R. Scisciani III <[AScisciani@hwslawgroup.com](mailto:AScisciani@hwslawgroup.com)>, Janis Puracal <[jcp@mlrlegalteam.com](mailto:jcp@mlrlegalteam.com)>, Blenda Fetahu <[bf@mlrlegalteam.com](mailto:bf@mlrlegalteam.com)>, Rachel Jones <[rjones@hwslawgroup.com](mailto:rjones@hwslawgroup.com)>, Paxton Moon <[pmoon@hwslawgroup.com](mailto:pmoon@hwslawgroup.com)>

**Subject:** RE: McGuffin - Vidocq Supplemental Discovery Responses HWS 17-0846]

Andy-

We are working on providing responses to plaintiffs' requests for additional documents as set forth in the March 11 email and the Second Set of RFPs, to the extent there are responsive documents. The requests are actually quite burdensome given the scope of the requests. I am not in a position to

address all of them now but am seeking an agreement with respect to your request for board meeting minutes.

RFP 46 asks for Vidocq board meeting minutes for the periods of 2000-2011 and 2017- 2021. Given that Vidocq Society was not involved in any aspect of the Freeman case until, at the earliest, July 2009, the board meeting minutes prior to that time are wholly irrelevant to the issues in this case. In addition, Vidocq had no involvement in the case after 2010 and the meeting minutes for the period of time of 2017- 2021 are likewise wholly irrelevant to the issues in this case. I am not sure what you are after with respect to the other meeting minutes but it has nothing to do with the Leah Freeman case. Accordingly, we propose producing board meeting minutes from 2009-2010. Please let me know if you will agree.

I will note Vidocq's 30(b)(6) designee has spent probably 40 to 50 hours (if not more) preparing for her deposition - which should be contrasted with the recent 30(b)(6) depositions of the municipal defendants who spent less than four hours each. This is becoming quite prejudicial and burdensome to this pro bono, volunteer organization, whom as you know, based on the unequivocal deposition testimony to date, had nothing to do with Mr. McGuffin's conviction.

Let me know if we have an agreement regarding board meeting minutes. Thanks.

Best regards,

*Meredith*

Meredith A. Sawyer  
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**From:** Andrew Lauersdorf <[acl@mlrlegalteam.com](mailto:acl@mlrlegalteam.com)>  
**Sent:** Wednesday, June 19, 2024 4:37 PM  
**To:** Meredith Sawyer <[msawyer@hwslawgroup.com](mailto:msawyer@hwslawgroup.com)>  
**Cc:** Cher Vasquez <[cv@mlrlegalteam.com](mailto:cv@mlrlegalteam.com)>; Anthony R. Scisciani III <[AScisciani@hwslawgroup.com](mailto:AScisciani@hwslawgroup.com)>; Janis Puracal <[jcp@mlrlegalteam.com](mailto:jcp@mlrlegalteam.com)>; Blenda Fetahu <[bf@mlrlegalteam.com](mailto:bf@mlrlegalteam.com)>; Rachel Jones <[rjones@hwslawgroup.com](mailto:rjones@hwslawgroup.com)>; Paxton Moon <[pmoon@hwslawgroup.com](mailto:pmoon@hwslawgroup.com)>  
**Subject:** RE: McGuffin - Bill Fleisher Depo [HWS 17-0846]

Thank you Meredith!



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**From:** Meredith Sawyer <[msawyer@hwslawgroup.com](mailto:msawyer@hwslawgroup.com)>

**Sent:** Wednesday, June 19, 2024 4:35 PM

**To:** Andrew Lauersdorf <[acl@mlrlegalteam.com](mailto:acl@mlrlegalteam.com)>

**Cc:** Cher Vasquez <[cv@mlrlegalteam.com](mailto:cv@mlrlegalteam.com)>; Anthony R. Scisciani III <[AScisciani@hwslawgroup.com](mailto:AScisciani@hwslawgroup.com)>; Janis Puracal <[jcp@mlrlegalteam.com](mailto:jcp@mlrlegalteam.com)>; Blenda Fetahu <[bf@mlrlegalteam.com](mailto:bf@mlrlegalteam.com)>; Rachel Jones <[rjones@hwslawgroup.com](mailto:rjones@hwslawgroup.com)>; Paxton Moon <[pmoon@hwslawgroup.com](mailto:pmoon@hwslawgroup.com)>

**Subject:** Re: McGuffin - Bill Fleisher Depo [HWS 17-0846]

This email originated from outside of MLR

Hi Andy-

I have been able to confirm that the deps can go forward as we tentatively agreed on 6/27/24, with Vidocq's Rule 30(b)(6) designee (Barb Cohan) to start at 8:00 am PST and Mr. Fleisher's individual dep to start at 12:00 noon PST.

Regarding plaintiffs' requests for additional documents as set forth in your March 11 email and in Plaintiffs' Second Set of RFPs, we anticipate that we will be able to advise you as to our intentions tomorrow - given that today is a federal holiday.

Thanks.

Best regards-

**Meredith**

Meredith A. Sawyer

Partner

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**From:** Andrew Lauersdorf <[acl@mlrlegalteam.com](mailto:acl@mlrlegalteam.com)>

**Date:** Wednesday, June 19, 2024 at 12:28 PM

**To:** Meredith Sawyer <[msawyer@hwslawgroup.com](mailto:msawyer@hwslawgroup.com)>

**Cc:** Cher Vasquez <[cv@mlrlegalteam.com](mailto:cv@mlrlegalteam.com)>, Anthony R. Scisciani III <[AScisciani@hwsllawgroup.com](mailto:AScisciani@hwsllawgroup.com)>, Janis Puracal <[jcp@mlrlegalteam.com](mailto:jcp@mlrlegalteam.com)>, Blenda Fetahu <[bf@mlrlegalteam.com](mailto:bf@mlrlegalteam.com)>, Rachel Jones <[rjones@hwsllawgroup.com](mailto:rjones@hwsllawgroup.com)>

**Subject:** RE: McGuffin - Bill Fleisher Depo [HWS 17-0846]

Hi Meredith –

Any word on moving Mr. Fleisher's deposition to June 27? If you don't hear back by tomorrow, we may have to plan on proceeding with the deposition as subpoenaed. Maybe Ms. Jones could defend the deposition? Or we could agree upon another date on or before July 1 that works for either you or Mr. Scisciani? We are open to suggestions.

In furtherance of our recent conferral, I am attaching a copy of Judge Simon's ruling in *Adidas America, Inc. v. TRB Acquisitions LLC* on the issue of an opposing party's request for documents reviewed by a Rule 30(b)(6) designee in preparing for their deposition. Judge Simon is well respected among the bench and bar of the USDC Oregon, and I think that Judge Kasubhai would find Judge Simon's reasoning persuasive on the issue of Plaintiffs' requests for the documents that Ms. Cohen-Saavedra referred to at pp. 17-20 of the Rule 30(b)(6) deposition. I understand that you may disagree, and that Defendant Vidocq Society objects to Plaintiffs' requests for these documents, but I thought I should at least share the *Adidas* case with you before the parties present the issue to Judge Kasubhai (if we reach that point).

I appreciate your agreement to reconsider the document requests in our emails from March 11 forward, and in Plaintiffs' Second Requests for Production to Vidocq Society, and determine whether or not Defendant Vidocq Society will produce any of the requested documents prior to the resumption of the Rule 30(b)(6) deposition. I look forward to hearing from you soon. To the extent that Vidocq decides to produce the requested documents prior to the resumption of the Rule 30(b)(6) deposition, we would like to have the documents no later than Monday, June 24, 2024. If Vidocq decides to withhold the requested documents, or if there are issues to be raised with the court, please let us know that by Monday as well, so we can get some guidance from the court prior to the upcoming depositions.

Take care,

Andy



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**From:** Meredith Sawyer <[msawyer@hwsllawgroup.com](mailto:msawyer@hwsllawgroup.com)>

**Sent:** Tuesday, June 18, 2024 9:35 AM

**To:** Andrew Lauersdorf <[acl@mlrlegalteam.com](mailto:acl@mlrlegalteam.com)>

**Cc:** Cher Vasquez <[cv@mlrlegalteam.com](mailto:cv@mlrlegalteam.com)>; Anthony R. Scisciani III <[AScisciani@hwsllawgroup.com](mailto:AScisciani@hwsllawgroup.com)>

**Subject:** RE: McGuffin - Bill Fleisher Depo [HWS 17-0846]

This email originated from outside of MLR

Andy-

I have reached out again yesterday and am waiting to hear back from our client. I hope to hear back today.



Best regards,

*Meredith*

Meredith A. Sawyer

Partner

Licensed in Washington & California



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**From:** Andrew Lauersdorf <[acl@mlrlegalteam.com](mailto:acl@mlrlegalteam.com)>  
**Sent:** Tuesday, June 18, 2024 9:18 AM  
**To:** Meredith Sawyer <[msawyer@hwslawgroup.com](mailto:msawyer@hwslawgroup.com)>  
**Cc:** Cher Vasquez <[cv@mlrlegalteam.com](mailto:cv@mlrlegalteam.com)>  
**Subject:** McGuffin - Bill Fleisher Depo  
**Importance:** High

Hi Meredith –

Any word on June 27<sup>th</sup>?



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